

## **REMARKS**

Claims 1-37 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claim 26 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed. Notwithstanding claim 26 is amended to change "said single pixel" to "a single pixel".

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-8, 23-25 and 27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Turner et al. (U.S. Patent No. 6,480,182). This rejection is respectfully traversed.

The Examiner asserted that, as described in paragraph 5 of the Office Action, Turner discloses a display device comprising a drive circuit for applying a first voltage for changing the distribution state of the particles and for applying a second voltage for maintaining the distribution state of the particles. However, Applicant disagrees with the Examiner's findings as follows:

Turner, col. 3, lines 1-14 describes that a potential difference between two electrodes causes the particles to migrate towards one of the electrodes. Turner, at col. 8, lines 5-15, further describes that the electrophoretic display comprises microcapsules

having therein an electrophoretic composition of a dielectric fluid and suspension particles. A potential difference between the two electrodes causes particles to migrate towards one electrode. However, Turner does not disclose a first electric field for changing a distribution state of the particles into a certain state and a second electric field for maintaining or stabilizing the certain state. The independent claims now recite this subject matter. Support for this amendment can be found at least at page 14, lines 5-21 of the specification as originally filed.

In addition, Applicant asserts that according to Turner, col. 5, lines 26-31, the term "refresh" used in Turner refers to rewriting of images. However, the term "refresh" defined according to the present invention at page 14, lines 5-13 of the original specification, is significantly different from that of Turner.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Turner (U.S. Pat. No. 6,480,182) in view of Okamoto (U.S. Patent No. 6,094,184). This rejection is respectfully traversed. Claim 26 depends from claim 23 and should be in condition for allowance for at least the same reasons as set forth above.

#### **NEW CLAIMS**

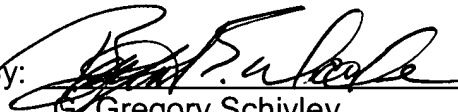
New claims 30-33 are added. Support for these claims can be found throughout the specification as filed. Favorable consideration of these new claims is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Sept. 24, 2003

By:   
G. Gregory Schivley  
Reg. No. 27,382  
Bryant E. Wade  
Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600  
GGS/BEW/csd